

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19405 of 2016

Nitu Kumari w/o Santosh Kumar r/o vill Kurkut Rai Matiya P.S. Sangrampur
District East Champaran.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The District Programme officer, East Champaran.
3. The Block Education Officer, Sangrampur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2
For the Respondent/s : Mr. Madanjit Singh- Gp20

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 5 08-08-2024 1. Heard learned counsel for the parties concerned.
2. The petitioner has filed the present writ application for quashing the order, issued under letter no. 3063, dated 11.02.2016 passed by the District Programme Officer, Elementary Education and Sarv Shiksha Abhiyan, East Champaran, by which the services of the petitioner as full time teacher in Kasturba Gandhi Girls School, Sangrampur, East Champaran has been terminated on the ground that the petitioner has not submitted her Graduation pass certificate despite many reminders issued to her in this regard.
3. Learned counsel for the petitioner submits that the petitioner was appointed as full time teacher in Kasturba Gandhi Girls School, Sangrampur, and, now, she has got



B. A. degree, but the same is not being accepted.

4. On the other hand, learned counsel for the State submits that at the time of selection of the petitioner, the educational qualification required for selection on the post of full time teacher was Intermediate, which was later on amended as Graduation in the year 2011. The petitioner was given opportunity to complete her Graduation till 2014 but the petitioner failed to acquire the requisite educational qualification till the cut-off date.
5. This Court, in CWJC Nos. 8849 of 2009, 157978 of 2012, 20227 of 2013, 23630 of 2013, 2931 of 2014, 20150 of 2014, 7947 of 2014, 9147 of 2019 and many other writ applications, has held the writ applications filed by the Warden, full time teachers, part time teachers, cook, Assistant cook, peon and Chowkidars, working in Kasturba Gandhi Girls School as not maintainable because the appointment was on contract basis and no reinstatement can be directed if the contract is terminated.
6. Accordingly, on the basis of previous judgment, I hold that this writ application is not maintainable and the same is dismissed.
7. However, the petitioner may pursue her remedy in



accordance with law before the Civil Court.

(Anil Kumar Sinha, J.)

R.R Sinha/-

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